

## **HRL EXHIBIT 8**

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May 15, 2019

**Via Email**

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**Re: *In re Pork Antitrust Litigation*, Case No. 18-cv-01776-JRT-HB**

Dear Counsel:

We are in receipt of your April 18, 2010 Initial List of Proposed Document Custodians designating seven people as document custodians, and write on behalf of all Plaintiffs, to provide a list of additional documents sources pursuant to §V(A)(2)(a) of the Court's Order Regarding Production of Electronically Stored Information and Paper Documents (ECF No. 292). We look forward to discussing further with you. Please let us know times next week that work for you to discuss this letter.

**Custodial Sources**

*Proposed by Defendant Hormel:*

Name	Title
Paul Bogle	Director, Cost Accounting
Corwyn Bollum	Director, Pork Operations and Procurement
Jessica Chenoweth	Cost Analyst
Lance Hoefflin	Manager, Pork Operations
Paul Peil	Director of Sales, Fresh Meat
Jose Rojas	Vice President, Farm Operations (2012-17)
Donald Temperley	Vice President, Operations-Refrigerated Foods

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To the extent a designated custodian (no matter whether proposed by Hormel or by Plaintiffs) inherited custodial files from his or her predecessor, we request that those files be included in the custodial productions.

*Additional Document Custodians Proposed by Plaintiffs:*

<b>Name</b>	<b>Title</b>
Jerry Adwell	Director of Pork Operations and Feeds
Nathan Amis	Director of Investor Relations (? - 2018)
Nathan Annis	Director of Investor Relations
Jeffrey Baker	Group VP, Deli; Group VP, Foodservice
Steven Binder	Executive VP; President of Hormel Business Units (? - ~2016)
Deanna Brady	Group VP and President of Consumer Product Sales (October 2015-2018); Group VP, Food Service (October 2013-October 2015)
Richard Bross	Group VP; President of Hormel Foods Int'l Corp. (?-December 2012)
James Cavanaugh	Senior VP and General Counsel (?-2010)
Mark Coffey	Senior VP of Supply Chain and Manufacturing (March 2017-Present); VP, Supply Chain (February 2017-March 2017); VP, Affiliated Businesses (October 2011-February 2017)
Julie Craven	VP of Corporate Communications (?-2014)
Thomas (Tom) Day	Executive VP, Refrigerated Foods (February 2018-Present); Group VP, Refrigerated Foods (October 2013-February 2018)
Michael Devine	VP, Grocery Products Operations (?-2013)
Craig Drefcinski	Director of Deli Sales
Jeffrey Ettinger	Chairman of the Board of Directors; Board Member (May 2004-~2016)
Bryan Farnsworth	Senior VP, Supply Chain (? - ~2016)
Jody Feragen	Executive VP and CFO (?-2015); Member of the Board of Directors (Oct. 2007-2015)
Ronald Fielding	Executive VP in Corporate Strategy, Planning and Development (?-12/31/2012)
Timothy Fritz	VP of Grocery Products Operations; Director of Industrial Relations
Roland Gentzler	VP of Finance and Treasurer (?-2015)
Michael Gyarmaty	Director of Business Planning; VP Consumer Products Sales; Group Product Manager, Meat Products
Daniel Hartzog	VP; Senior VP of Sales and Consumer Products Sales (?-2011)
Jana Haynes	VP and Controller (May 2016-Present); Director of Investor Relations (October 2013-May 2016)
Anthony Hoffman	Director of Business Planning; VP Consumer Products Sales
Jesse Hyland	Corporate Manager Production Planning and Raw Meat Procurement
Gary Jamison	VP and Treasurer (May 2016-2018)

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Glenn Leitch	Executive VP, Supply Chain (December 2017-Present)
Albert Lieberum, Jr.	Director of Pork Operations; VP Operations, Farmer John
Lori Marco	Senior VP of External Affairs and General Counsel (March 2015-2018); VP of External Affairs and General Counsel (January 2011-March 2015)
Louis Marconi	Group VP of Grocery Products (October 2016-2018); VP of Grocery Products Marketing (March 2012-October 2016)
Brian Molhusen	Director of Retail Operations, Consumer Product Sales
Mark Morey	VP of Affiliated Businesses, Refrigerated Foods
Kurt Mueller	Vice President and Senior VP of Consumer Products Sales (?-January 2019); Senior VP of Business Planning, Consumer Products Sales
Steven Orcutt	Business Unit Controller, Grocery Products; Director and Business Units Controller, Grocery Products/Consumer Product Sales
Mark Ourada	Group VP, Food Service
Russell Potter	Vice President of Operations, Grocery Products (?-December 2008)
Douglas Reetz	VP; Senior VP of Sales and Consumer Products Sales (?-December 2012)
Robert Rowbal	Director of Finance, Supply Chain; Director of Transactional Services; Director and Business Units Controller, Grocery Products/Consumer Product Sales
Patrick Schwab	Vice President and Senior VP of Consumer Products Sales (October 2012-2018); Director of Fresh Meats and Margin Optimization
James (Jim) Sheehan	Senior VP and CFO (October 2016-Present); VP and Chief Accounting Officer (May 2016-October 2016); VP and Controller (May 2000-May 2016)
James (Jim) Snee	Chairman of the Board (November 2017-Present); Member of the Board of Directors (October 2015-Present); President and CEO (October 2016 -November 2017); President and COO (October 2015-October 2016); Group VP and President of Hormel Foods Int'l Corp. (October 2012-October 2015)
William Snyder	Senior VP, Supply Chain (?-2013)
James Splinter	Group VP of Corporate Strategy (October 2016-2018); Group VP of Grocery Products (November 2010-October 2016)
Lisa Tibey	Corporate Manager of National Category Sales, Grocery Products (October 2015-Present)
Hilda Tolentino	Foodservice Sales Manager for Hormel Foods Int'l Corp.
Larry Vorpahl	Group VP and President of Hormel Foods Int'l Corp. (October 2015-2018); Group VP and President of Consumer Products Sales (October 2005-October 2015)
Natosha Walsh	Vice President; Senior VP of Consumer Products Sales (effective October 2018)
David Weber	VP of Foodservice Sales

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### Competitive Intelligence

We want to ensure that the job function of collecting and analyzing “competitor intelligence” is covered by the custodians proposed above, so ask that Hormel confirm that it has included any individual with this responsibility.

### Administrative Assistants

Plaintiffs request that the assistants to the CEO, Presidents, and other senior executives have their documents (and any documents they inherited from their predecessors) included with those collected for their principal. Our understanding is that the list of relevant administrative assistants includes the following individuals:

<b>Name</b>	<b>Title</b>
Ashley Hacker	Administrative Assistant to Cory Bollum (? - 2018)
Lisa Hocking	Administrative Assistant to James Snee (?-2018)
Kevin Jones	Assistant Corporate Secretary (?-2007); Director of Investor Relations
Victoria Nolt	Administrative Assistant to Tom Day (~2016-2018); Admin Assistant to Steve Binder (? - ~2016)
DeAnne Silbough	Administrative Assistant to James Sheehan (? - 2018)
Lori Tigner	Administrative Assistant to Donald Temperley

We request that Hormel identify any additional individuals not listed above who served as an administrative assistant to the CEO, Presidents, and/or senior executives during the relevant time period. Plaintiffs reserve their right to request the inclusion of additional administrative assistants to the list of proposed custodians once we have had an opportunity to consider the additional information to be provided by Hormel.

### Former Employees Designated as Document Custodians

With respect to former employees proposed by Plaintiffs above, Plaintiffs wish to discuss further during the parties’ meet and confer what documents Hormel reasonably believes may still exist for such individuals in light of the company’s document retention policies. Similarly, for former executives who’s only remaining documents are in the possession of another custodian, Plaintiffs are willing to discuss dropping their request for that custodian so long as such documents are part of what is collected and reviewed in discovery.

### Document Sources

#### *Proposed by Defendant Hormel:*

Hormel disclosed various non-custodial sources in its March 8, 2019 Initial Disclosures, which are summarized below.

- G: and H: shared network drives
- AS/400\*

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- FileNet
- Hormel Decision Support
- Labor Productivity\*
- Mainframe\*
- MFGRPRO/QAD\*
- Oracle\*
- Primal Planning System\*

Hormel indicated that databases that may contain discoverable “structured data” were followed by an asterisk.

This initial list is insufficiently vague (especially compared to what other Defendants have provided) and does not allow Plaintiffs to assess what non-custodial sources exist and does not allow Plaintiffs to assess which sources may contain documents and information responsive to Plaintiffs’ requested discovery. Plaintiffs request that Hormel come ready to discuss which specific non-custodial sources will contain documents and information responsive to Plaintiffs’ RFPs and to provide more detail about its identified non-custodial document sources on the subsequent meet and confer call.<sup>1</sup>

*Additional Document Sources Proposed by Plaintiffs:*

Plaintiffs propose that any collection efforts include any sources that contain the following:

- any copies of any phone records for company main lines or combined company cellphone bills;<sup>2</sup>
- travel and expense records for Document Custodians;
- locations where Credit Relations, Investor Relations, and Corporate Communications information are kept;
- hardcopy and electronic calendars of Document Custodians;
- documents within a document management system, such as Office 365, Sharepoint, intranet, etc.;
- Hard copy documents maintained by Departments or Divisions, which may contain information responsive to Plaintiffs’ RFPs; and
- Documents related to the 2016 divestiture of PFFJ, LLC and Clougherty Packing, LLC to Smithfield, including the data room identified in Hormel’s RFP responses.

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<sup>1</sup> For example: what types of documents or structured data specifically are maintained on each of the sources listed by Hormel; which departments maintain central files that may contain responsive documents and where are they maintained; do custodians have network drives where they can save documents and, if so, where are those drives located?

<sup>2</sup> On the parties’ May 9, 2019 meet and confer on All Plaintiffs’ and Indirect Purchaser Plaintiffs’ RFPs, Hormel represented it was currently unaware of such records in its possession. Plaintiffs, however, include this category in case in the future Hormel becomes aware of such records in its possession, custody or control.

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Pursuant to §V(A)(3) of the agreed provisions of the parties' ESI Protocol (ECF No. 292), Plaintiffs reserve the right to request additional custodians or non-custodial document sources.

Sincerely,

GUSTAFSON GLUEK PLLC

A handwritten signature in black ink, reading "Michelle Looby". The signature is written in a cursive, flowing style.

Michelle J. Looby

cc: All Class Plaintiff Co-Lead Counsel